IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

Global Interactive Media, Inc.,	Case No.
Plaintiff,	
v.	Judge: Magistrate Judge:
Shazam Media Services Inc.,	**JURY TRIAL DEMANDED**
Defendant.	

COMPLAINT FOR PATENT INFRINGEMENT

Global Interactive Media, Inc. ("Global Interactive") brings this patent-infringement action against Shazam Media Services Inc. ("Shazam").

Parties

1.   Global Interactive is a Belizian company based in Belize.

2.   Shazam is a corporation organized under the laws of Delaware, with a place of business located in Chicago, Illinois.

Jurisdiction and Venue

3.   This action arises under the patent laws of the United States, 35 U.S.C. §§ 101 *et seq*.

4.   This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).

5.   This Court may exercise personal jurisdiction over Shazam. Shazam conducts continuous and systematic business in Illinois and this District. Shazam maintains corporate offices in this District. This patent-infringement case arises directly from Shazam's continuous and systematic activity in this District. In short,

this Court's exercise of jurisdiction over Shazam would be consistent with the Illinois long-arm statute, 735 ILCS § 5/2-209, and traditional notions of fair play and substantial justice.

6.   Venue is proper in this District pursuant to 28 U.S.C.§§ 1391(b)(2) and 1400(b).

Count 1 – Infringement of U.S. Patent No. 8,032,907

7.   Global Interactive owns United States Patent 8,032,907 (the "'907 patent") (attached as Exhibit A).

8.   Shazam is infringing at least one of the 90 methods and systems claimed in the '907 patent.

9.   For example, and for illustration of one of the 90 claims of the '907 patent that Global Interactive alleges Shazam infringes, Shazam infringes claim 18 of the '907 patent as follows:

a. Claim 18 is a method of "broadcasting program material in at least one broadcast . . . ." (Ex. A, 19:16.) Shazam practiced the method of claim 18 during the 2014 Super Bowl broadcast.

b. Claim 18 is a method of "receiving one or more user inquiries from one or more recipients of said at least one broadcast, said one or more inquiries including broadcast identifier information . . . ." (Ex. A, 19:17-19.) During the 2014 Super Bowl broadcast, a consumer using the Shazam service could inquire about, for example, the performance by the artist Bruno Mars during halftime of the Super Bowl.

c. The method of claim 18 involves "creating a program description file comprising program information related to program material to be broadcast in the future . . . ." (Ex. A, 19:20-22.) Prior to Bruno Mars performing at halftime, Shazam created a file describing the song "Locked Out of Heaven."

d. Next, claim 18 involves "communicating the program information into a programmed data processor . . . ." (Ex. A, 19:23-24.) Shazam then loaded this file describing "Locked Out of Heaven" into a programmed data processor.

e. Claim 18 involves "synchronizing said communicated program information with said program material of said at least one broadcast. . . ." (Ex. A, 19:25-26.) When Bruno Mars performed his song "Locked Out of Heaven" at the halftime show, a viewer used Shazam's service to inquire about the song and Shazam synchronized the programmed information with the broadcast of the song.

f. Claim 18 involves "using said data programmed data processor to communicate, to the one or more recipients, program information that corresponds to the broadcast identifier information included in said one or more inquiries, wherein at least one of the program description file, the program information, and the synchronized program information is associated with the broadcast identifier information." (Ex. A, 19:28-35.) Shazam then communicated to

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the user that he was listening to "Locked Out of Heaven" by Bruno Mars.

10.   Again without limiting the services that will be accused of infringement or the claims asserted in this action, Shazam's LyricPlay service also infringes claim 18 of the '907 patent:

      a. Claim 18 involves "creating a program description file comprising program information related to program material to be broadcast in the future . . . ." (Ex. A, 19:20-22.) Prior to the Bruno Mars song "Locked Out of Heaven" being broadcast in an office building in Chicago, Illinois, Shazam created a file describing the song "Locked Out of Heaven."

      b. Claim 18 involves "communicating the program information into a programmed data processor . . . ." (Ex. A, 19:23-24.) After Shazam created a file describing the song "Locked Out of Heaven," Shazam then loaded this file describing "Locked Out of Heaven" into a programmed data processor.

      c. Claim 18 is a method of "broadcasting program material in at least one broadcast . . . ." (Ex. A, 19:16.) Shazam created software and hardware that has utility based on the "broadcasting of program material" such as broadcasting the song "Locked Out of Heaven" throughout an office building in Chicago, Illinois.

      d. Claim 18 is a method of "receiving one or more user inquiries from one or more recipients of said at least one broadcast, said one or

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more inquiries including broadcast identifier information . . . ." (Ex. A, 19:17-19.) As an individual walked into the lobby at his place of business in Chicago, Illinois, he may have heard the song "Locked Out of Heaven" and wondered what the lyrics to this song were. This individual using the Shazam LyricPlay service could inquire about, for example, what was this song he was hearing and what are its lyrics.

e. Claim 18 involves "using said data programmed data processor to communicate, to the one or more recipients, program information that corresponds to the broadcast identifier information included in said one or more inquiries. . . ." (Ex. A, 19:28-35.) Shazam would receive the individual's inquiry and then communicate to the user that he was listening to "Locked Out of Heaven" by Bruno Mars.

f. Claim 18 involves "synchronizing said communicated program information with said program material of said at least one broadcast. . . ." (Ex. A, 19:25-26.) When "Locked Out of Heaven" was broadcast in the lobby of the office building in Chicago, Illinois, Shazam not only provided the individual with information about the song. Shazam also synchronized the programmed information with the broadcast of the song and provided the lyrics to "Locked Out of Heaven."

Count 2 – Infringement of U.S. Patent No. 6,314,577

11.   Global Interactive owns United States Patent 6,314,577 (the "'577 patent") (attached as Exhibit B).

12.   Shazam is infringing at least one of the 130 methods and systems claimed in the '577 patent.

13.   For example, and for illustration of one of the 130 claims of the '577 patent that Global Interactive alleges the Shazam service infringes, the service infringes claim 94 of the '577 patent as follows:

      a. Claim 94 is a "method for providing listeners or viewers of a radio or television broadcast with automated information about program material, comprising the steps of: broadcasting at least one radio or television broadcast . . . ." (Ex. B, 23:14-18.) Shazam practiced the method of claim 94 during the 2014 Super Bowl broadcast.

      b. Claim 94 involves "receiving user inquiries from a listener or viewer of said radio or television broadcast . . . ." (Ex. B, 19-20.) During the 2014 Super Bowl broadcast, a consumer using the Shazam service could inquire about, for example, the performance by the artist Bruno Mars during halftime of the Super Bowl.

      c. Claim 94 involves "creating a program description file . . . ." (Ex. B, 23:21.) Prior to Bruno Mars performing at halftime, Shazam created a file describing the song "Locked Out of Heaven."

      d. The method of claim 94 involves "communicating program list information into a programmed data processor . . . ." (Ex. B, 23:23-

24.) Shazam then loaded this file describing "Locked Out of Heaven" into a programmed data processor.

e. Claim 94 involves "correlating said program descriptions of program material with said program list information and generating information in a database responsive to only a broadcast identifier . . . ." (Ex. B, 23:24-27.) When Bruno Mars performed his song "Locked Out of Heaven" at the halftime show, a viewer used Shazam's service to inquire about the song and Shazam correlated the programmed information with the broadcast of the song.

f. Claim 94 involves "using said programmed data processor to communicate said program description file responsive to said user inquiry." Shazam then communicated to the user that he was listening to "Locked Out of Heaven" by Bruno Mars.

Prayer for Relief

WHEREFORE, Global Interactive prays for the following relief against Shazam:

(a)   Judgment that Shazam has directly infringed claims of the '907 patent and the '577 patent;

(b)   For a reasonable royalty;

(c)   For pre-judgment interest and post-judgment interest at the maximum rate allowed by law; and

(d)   For such other and further relief as the Court may deem just and proper.

Demand for Jury Trial

Global Interactive demands a trial by jury on all matters and issues triable by jury.

Date: <u>December 19, 2014</u>   <u>/s/ Matthew M. Wawrzyn</u>
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